

FILED

OCT 26 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE WILLIE GEORGE ERWIN,
JR.,

Petitioner.

No. C 12-04699 EJD (PR)
ORDER OF DISMISSAL

On September 7, 2012, Petitioner, a California state prisoner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. The Clerk sent Petitioner a notice on the same day that he must either pay the full filing fee or file an in forma pauperis application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Petitioner was mailed the Court's In Forma Pauperis Application, instructions for completing such an application, including a Certificate of Funds form to be completed and signed by a prison official, and a return envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The Clerk shall terminate any pending motions and close the file.

DATED: 10/26/12


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE ERWIN,

Petitioner,

Case Number CV 12-04699 EJD (PR)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 10/26/12, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) inter-office delivery receptacle located in the Clerk's office.

Willie George Erwin, Jr.
T-64857
CTF
P. O., Box 698
Soledad, CA 93960-0689

DATED: 10/26/12

Richard W. Wicking, Clerk
By: Elizabeth Garcia, Deputy Clerk

